VOTES
Of the HOUSE of
COMMONS,
At OXFORD.

Lunæ 21 *die Martii*, 1680.

A Meſſage from the King was delivered by *Thomas Duppa*, Eſq; Deputy Gentleman-Uſher of the *Black Rod*.

Gentlemen of the Houſe of Commons,

The King Commands this Honourable Houſe to Attend him immediately in the Houſe of Peers.

And accordingly the Houſe went up to attend His Majeſty, who was pleaſed (after having made a Speech) to command the Commons to return to their Houſe, and proceed to the choice of their *Speaker*.

And the Houſe having returned from His Majeſty, *Will: Williams* Eſq; Speaker of the laſt Parliament, was unanimouſly choſen by the Houſe for their Speaker in this Parliament, and Conducted to the Chair by two of the Members, and there in a Speech accepted the Service of the Houſe.

The Houſe being informed that His Majeſty had appointed to Morrow Three of the Clock in the Afternoon, for the Houſe to preſent their Speaker.

Martis 22 *die Martii*, 180.

THe Houſe being met, and Mr. *Speaker* having taken the Chair A Meſſage was delivered from the King, by *Thomas Duppa*, Eſq; Deputy Gentleman Uſher of the *Black Rod*.

Gentle-

Gentlemen of the Houſe of Commons.

The King Commands this Honourable Houſe to Attend Him immediately in the Houſe of Peers.

And accordingly *Mr.* Speaker with the *H*ouſe went up to attend His Majeſty, and *Mr.* Speaker with a Speech, humbly repreſented to His Majeſty, That the Houſe of Commons had choſen him their Speaker; and he made claim by humble Addreſs to His Majeſty in the Name of the Commons of *England* in Parliament Aſſembled, of the Antient Rights of the Commons for them and their Servants, in their Perſons and Eſtates, to be free from Arreſts and other Diſturbances, in all their debates to have Liberty and Freedome of Speech, and as occaſion ſhall require, to have acceſs to His Majeſties Royal Perſon.

Which were allowed by the King.

The Houſe being returned, and *Mr.* Speaker having taken the Chair, and made Report thereof to the Houſe,

The Houſe Adjourned.

Mercurii 23 *die* 1680.

THe Houſe being met, proceeded to the taking the Oaths of Allegiance and Supremacy: and making and ſubſcribing the Declaration directed by an Act made in the Thirtieth year of his now Majeſties Reign, Entituled, *An Act for the more effectual preſerving the* King's *Perſon and Government, by diſabling* Papiſts *from Sitting in either Houſe of Parliament.*

And *Mr. S*peaker and a great number of the Members of the Houſe having taken the ſaid Oaths, and made and ſubſcribed the ſaid Declaration,

The Houſe Adjourned.

Jovis 24. *Die Martii.* 1680.

A Bill to correct vexatious Actions of Treſpaſs was read the firſt time.

Reſolved, That the Bill be Read a ſecond time,

Ordered. That where there is any double Returns of Members to ſerve in this preſent Parliament, ſuch Members do forbear to Sit untill

until the ſaid Returns be decided.

A Petition of *Richard Duke* Eſq; touching the Election for the Burrough of *Aſhburton* in the County of *Devon.*

A Petition of the Burgeſſes and Inhabitants of the Burrough of *Southwark* in the County of *Surrey* touching the Election for the ſaid Burrough.

A Petition of Sir *Richard Stevens* Knight touching the Election for the Burrough of *Portſmouth* in the County of *Southhampton.*

A Petition of Sir *Peter Tyrrel* Baronet, and *Charles Blount* Eſq; touching the Election for the Burrough of *Buckingham* in the County of *Bucks.*

A Petition of *Denzell Ouſlow*, and *Francis Dorrington* Eſqs; touching the Election for the Burrough of *Haſlemere* in the County of *Surry.*

A Petition of *Humphrey Burlace*, and *Nicholas Burlace* Eſquires touching the Election for the Burrough of *Mitchell* in the County of *Cornwall.*

A Petition of *Francis Paulett* Eſq; and Sir *Robert Henley* Kinght touching the Election for the Burrough of *Andover* in the County of *Southhampton.*

A Petition of Sir *Roger Hill* Knight, touching the Election for the Burrough of *Agmondeſham* in the County of *Bucks.*

A Petition of *Algernon Sidney* Eſq; touching the ſame Election.

A Petition of *Edward Hungerford*, and *John Eyles* Eſquires touching the Election for the Burrough of *Deviſes* in the County of *Wilts.*

A Petition of *John Turton* Eſq; touching the Election for the Burrough of *Tanworth* in the Counties of *Warwick* and *Stafford.*

A Petition of *George Rodney Bridges* Eſq; touching the Election for the City of *Litchfield.*

A Petition of *Thomas Hooper* Eſq; touching the Election for the Burrough of *Chriſtchurch* in the Borrough of *Southhampton.*

A Petition of *Humphrey Courtney*, and *Thomas Kendall* Eſquires touching the Election for the Burrough of *Weſtow* in the County of *Cornwell.*

A Petition of Sir *John Duncombe* Knight, and *George Walſh* Eſq; touching the Election for the Burrough of *Eye* in the County of *Suffolk.*

A Petition of *Samuel Rolls*, and *James Vernon* Esquires touching the Election for the Burrough of *Penryn* in the County of *Cornwall*.

A Petition of Sir *John Trevor* Knight, touching the Election for the Shire-Town of *Montgomery*.

A Petition of *Thomas Neale*, and *John Garrard* Esquires touching the Election for the Burrough of *Ludgarshall* in the County of *Wilts*.

A Petition of Sir *John Talbot* Knight, and *John Smith* Esquires, touching the same Election.

A Petition of *William Strode*, and *John Speake* Esquires touching the Election for the Burrough of *Ilchester* in the County of *Somerset*.

A Petition of Sir *Robert Henley* Baronet, touching the Election for the Burrough of *Bridport* in the County of *Dorset* was Read.

Ordered. That the said several Petitions be referred to the Consideration of the Committee of Elections and Priviledges to Examine the matter thereof, and to Report the same with their Opinions therein to this House.

A Petition of Sir *Robert Atkins* Knight of the *Bath*, Sir *John Knight* Knight, and other Burgesses and Freeholders of the City of *Bristol* touching the Election for the said City, was Read.

Ordered, That the matter of this Petition be heard at the Bar of this House on next *Munday* sevenight.

A Petition of *Richard Middleton* Esq; touching the Election for the County of *Denbigh*, was Read.

Ordered. That the Merits of this Petition be heard at the Bar of this House next *Wednesday* sevenight.

A Petition of *Thomas Harris* Esq; touching the Election for the City of *Worcester*, was Read.

Ordered. That the Merits of this Petition be heard at the Bar of this House upon the Debate on next *Munday* fortnight.

A Petition of the Citizens and Freemen of the City of *Exon* touching the Election for the said City, was Read.

Ordered. That the Matter of this Petition be heard at the Bar of this House next *Monday* three weeks.

William Leveson Gore being Elected, and Returned to serve in this present Parliament, as one of the Knights for the County of *Salop*; and also a Burgess for the Burrough of *Newcastle Underline* in the County

County of *Stafford*, made his Election to serve for the County of *Salop*.

Ordered. That Mr. Speaker do Iſſue out his warrant to the Clerk of the Crown, to make out a New Writ for the Electing of a Burgeſs to ſerve in this preſent Parliament for the Burrough of *Newcaſtle Underline*, in the room of the ſaid *William Leviſon Gore*.

Reſolved. That the Votes and proceedings of this Houſe be Printed, and that the Care of the Printing thereof, and the Appointment of the Printers be committed to Mr. Speaker.

Ordered. That the thanks of this Houſe be given to Mr. Speaker for the Speech by him made in the Houſe of Lords, upon his being preſented to His Majeſty, and that he be deſired to print the ſame,

The Houſe taking notice that a Bill which paſſed both Houſes the laſt Parliament, Entituled, *An Act for the Repeal of a Statute made in the 35th year of the Reign of the* Queen Eliz. was not preſented to His Majeſty (as the reſt of the Bills were) for His Royal Aſſent.

Reſolved, That this Houſe will to Morrow Morning at Ten of the Clock, take into Conſideration by what means the ſaid Bill miſcarried.

Reſolved Nemine Contradicente.

That this Honſe will on *Saturday* Morning next, at Ten of the Clock, conſider of means for the Security of the Proteſtant Religion and for the Safety of the King's Perſon.

Veneris 25 die Martii, 1681.

A Petition of *Henry Whitehead* Eſq; Touching the Election for the Burrough of *Stockbridge* in the County of *Southampton*, was read.

Ordered, That the ſaid *Petition* be referr'd to the Conſideration of the Committee of *Elections* and *Priviledges* to examine the Matter therof, and Report the ſame with their Opinions therin to the Houſe.

Ordered, That Mr. *Hampden*, Sir *Francis Winnington*, &c. or any Three of them, do inſpect the Journals of the Late Parliaments relating to the Impeachment of *Thomas* Earl of *Danby*, and do immediately make Report thereof to the Houſe.

A Meſſage from the Lords by Sir *Timothy Baldin*, and Sir *Edward Low*.

Mr.

Mr. *Speaker*, The Lords have ſent you the Anſwer of Sir *William Scroggs*, Knight, Chief Juſtice of His *Majeſties* Court of *Kings-Bench*, to the Articles of Impeachment exhibited againſt him by the Commons in the Late Parliament aſſembled; as alſo a Petition from him to the Lords.

A Petition of *Thomas Wiſe* Eſq; Touching the Election for the Burrough of *Banbury* in the County of *Oxen*, was read.

Ordered. That the ſaid Petition be referr'd to the Conſideration of the Committee of Elections and priviledges, to examine the matter thereof, and Report the ſame, with their Opinions therein, to the Houſe.

A Petition of the Burgeſſes of the Burrough of *Marlborough* in the County of *Wilts*. Touching the Election for the ſaid Burrough was read.

Ordered, That the ſaid Petition be referr'd to the Conſideration of the Committee of Elections and Priviledges to Examine the matter thereof, and Report the ſame, with their Opinions therein to the Houſe.

A Petition of *Sir Thomas Littleton*, Baronet, and *Thomas Cooke*, Eſq; Touching the Election for the Burrough of *Truro* in the County of *Cornwal*, was read.

Ordered, That the ſaid Petition be referr'd to the Conſideration of the Committee of Elections and priviledges, to Examine the matter thereof, and Report the ſame, with their Opinions therein, to the Houſe.

Ordered, That Leave be given to bring in a Bill to take away the Court, holden before the preſident & Councel in the *Marches* in *Wales*.

It being Repreſented to this Houſe, by ſeveral members, that many Counties, Cities and Burroughs, have freely without Charge, Elected many of their members in this preſent Parliament, according to the ancient Conſtitution of Elections of members to ſerve in Parliament.

Wherefore this Houſe doth give their Thanks to ſuch Counties, Cities and Burroughs, for their ſaid Elections.

Ordered, That a Committee be appointed to conſider of a more convenient Place in *Oxon*, for the Sitting of the Commons in Parliament now Aſſembldd, and to make Report thereof to the Houſe.

The Houſe then according to their Order, took into Conſideration the

the matter relating to the Bill, which passed both Houses in the last Parliament, Entituled, *An Act for the Repeal of a Statute made in the* 35th. *Year of the Reign of Queen* Elizabeth, but was not Tendr'd to his Majesty for his Royal Assent.

Resolved, That a Message be sent to the Lords, desiring a Conference with their Lordships, in matters relating to the Constitution of Parliaments, in passing of Bills.

Ordered That a Committee be appointed to Consider of, and Prepare the Subject matter to be offer'd at the said Conference.

Mr. *Hampden* Reports the Proceedings of the late Parliaments, relating to the Impeachment of the Commons of *England*, against the Earl of *Danby*.

Ordered That a Message be sent to the Lords, to mind their Lordships, That the Commons in Parliament Assembled, have formerly by their Speaker Demanded Judgment at the Bar of the Lords House, upon the Impeachment of the Commons, against *Thomas* Earl of *Danby*, of High Treason, and to desire their Lordships to appoint a Day to give Judgment against the said *Thomas* Earl of *Danby*, upon the said Impeachment, and that the Lord *Cavendish* do go up with the said Message.

Sir *George Treby* acquaints the House, That he, together With Sir *Robert Clayton*, had taken the Examination of *Edward Fitz-Harris*, relating to the popish Plot, which he read in his place, and afterwards deliver'd the same in at the Clerks Table.

Ordered That the said Examination be forthwith Printed.

Resolved That the same *Edward Fitz-Harris* be Impeached of High Treason, in the name of all the Commons of *England*, and that *Mr.* Secretary *Jenkins* do to Morrow Morning go up and Impeach him, at the Bar of the Lords House.

Ordered That it be Referr'd to Sir *Francis Winnington*, Sir *William Jones*, &c. to draw up and prepare Articles of Impeachment against the said *Edward Fitz-Harris*.

Ordered That Sir *George Treby* do to Morrow Morning give the House an account of the Information given by Mr. *Serjeant*, relating to the *Popish Plot*.

And then the House Adjourned till 8. to Morrow Morning.

Sabbati 26 die Martii, 1681.

SIR *Robert Howard* Reports from the Committee appointed to conſider of a more convenient place in *Oxford* for this Houſe to Sit in, That the *Theatre* was the moſt convenient place they could find for that purpoſe.

Reſolved.

That an Humble Addreſs be preſented to His Majeſty from this Houſe, by ſuch Members thereof as are of His Majeſties moſt Honourable Privy Council, humbly repreſenting to His Majeſty the inconvenience of the place where the Commons now Sit in Parliament; And that the Houſe having by a Report from a Committee apointed to conſider of a more convenient place for their Sitting, been informed, that the *Theatre* in *Oxford* is a more convenient place for their Sitting; Wherefore the Commons Humbly beſeech His Majeſty to command the *Theatre* may be fitted and prepared for their Sitting there.

Sir *William Jones* Reports from the Committee appointed to prepare the Subject matter of the Conference, deſired to be had with the Lords in matters relating to the Conſtitution of Parliament in paſſing Bills, the matter agreed upon by the ſaid Committee.

Ordered.

That the Lord *Durſley* do immediately go up to the Lords to deſire ſuch Conference.

Sir *John Fagg* being returned a Knight of the Shire to ſerve for the County of *Suſſex*, and likewiſe a Burgeſs to ſerve for the Borough of *Steyning* in the ſaid County, made his Election to ſerve for the ſaid County.

Ordered.

That Mr. *Speaker* do Iſſue out his Warrant to the Clerk of the Crown to make out a new Writ for the Election of a Burgeſs to ſerve in this preſent Parliament for the ſaid Borough of *Steyning*, in the room of the ſaid Sir *John Fagg*.

A Petition of the Citizens and Inhabitants of *New-Sarum*, touch-

ing the Election for that City was Read.

Ordered.

That the said Petition be referred to the consideration of the Committee of Elections and Priviledges, to examin the matter thereof, and to report the same, with their Opinions therein to the House

Sir *George Treby* reports several Examinations taken from Mr. *John Serjeant* and *David Maurice*, relating to the Popish Plot, which he Read in his place, and afterwards delivered the same in at the Clerks Table, where the same being read,

Ordered.

That the said several Informations be forthwith Printed.

This House having taken into solemn debate and consideration, the meanes for the security of the *Protestant Religion*, and for safety of the *Kings Person*, doth resolve, That a *Bill* be brought in for excluding *James* Duke of *York* from Inheriting the Imperial Crowns of *England* and *Ireland*, and the Dominions and Territories thereunto belonging.

Ordered,

That a *Committee* be appointed to prepare and draw up the said *Bill*, and it is referred to Sir *William Jones*, &c.

Adjourned to 5 of the Clock *Post Meridiem.*

Sabati 26 Martii, Post Meridiem.

THE *House* being informed That the *Lords* had refused to proceed upon the Impeachment of the *Commons* against *Edward Fitz-Harris*, and had directed that he should be proceeded against at the *Common-Law* and a Debate arising in the *House* thereupon.

Resolved,

That it is the Undoubted Right of the *Commons* in *Parliament assembled*, to impeach before the *Lords* in *Parliament* any *Peer* or *Commoner* for Treason, or any other Crime or Misdemeanor: And that the refusal of the *Lords* to proceed in Parliament upon such Impeachment, is a denial of Justice, and a violation of the Constitution of *Parliaments.*

Resolved,

That in the Case of *Edward Fitz-Harris*, who by the *Commons* has been

been Impeached for High Treason before the Lords, with a Declaration, That in convenient time they would bring up the Articles against him; for the Lords to resolve, that the said *Fitz-Harris* should be proceeded with according to the course of *Common-Law*, and not by way of Impeachment in *Parliament*, at this time, is a Denial of Justice and a Violation of the Constitution of Parliaments, and an Obstruction to the further discovery of the Popish Plot, and of great danger to His Majesties Person, and the Protestant Religion.

Resolved,

That for any Inferior Court to proceed against *Edward Fitz-Harris*, or any other Person lying under an Impeachment in Parliament for the same Crimes for which he or they stand Impeached, is an high Breach of Priviledge of Parliament.

Ordered,

That a Bill or Bills be brought in for the better Uniting of all His Majesties Protestant Subjects.

Ordered,

That a Bill be brought in for Banishing the most Considerable Papists of *England* out of His Majesties Dominions by their Names.

Adjourned &c.

Lunæ 28. Die Martii. 1681.

A Petition of Sir *John Sidnam* touching the Election of a Knight to Serve in this Present Parliament for the County of *Somerset*, was Read.

Ordered,

That the said Petition be referred to the Consideration of the Committee of Elections and Priviledges.

Ordered,

That Mr. *Speaker* do Issue out his Warrant for sending for Persons Papers and Records in such Elections as are appointed to be heard at the *Bar* of the House.

A Petition of *Edward Nosworthy* Esq; touching the Election for *Leskard*, was Read and referred to the Committee of Elections and Priviledges.

Ordered

Ordered,

That every Knight of the Shire do pay Ten Shillings, and every Citizen and Burgeſs Five Shilling to be diſtributed amongſt the Officers attending the Houſe.

A Bill for Excluding *James* Duke of *York* to Inherit the Imperial Crown of *England* and *Ireland*, and the Dominions and Territories thereunto belonging.

Ordered,

That the Bill be Read a ſecond time to Morrow morning at Ten of the Clock in a full Houſe.

A Meſſage from His Majeſty by Mr. *Edward Duppa*, Deputy Uſher of the Black Rod.

Mr. *Speaker*,

The King Commands this Honourable Houſe to Attend Him immediately in the Houſe of Peers.

And accordingly Mr. Speaker with the Houſe went up to Attend His Majeſty, where His Majeſty was pleaſed to Diſſolve this Preſent Parliament.